

1 MS. COWAN: I'm Lois Cowan and I'm co-owner of
2 some bicycle stores in Cleveland, Ohio and I'll try not to
3 repeat what's been said already. The anti-cyclist drive
4 time broadcast started on June 30th in Cleveland and it
5 continued for six days. You've heard about the Raleigh
6 ones.

7 On September 2nd, KLOL in Houston rebroadcast a
8 program that's especially disturbing because it was three
9 days after a horrendous accident involving twenty bicycles
10 and a truck that left two Houston riders dead. Houston is
11 also extremely difficult for a cyclist. There've been 13
12 people killed while riding bicycles in Houston in the last
13 year.

14 During the broadcast, Clear Channel employees and
15 callers encouraged motorists to do things like speed past
16 the bicycles and slam your brakes on. One of the DJs
17 actually said they're all wearing helmets, so they'll live;
18 throw things such as bottles and cans at cyclists; have your
19 passenger open the car door at the rider, have the passenger
20 hit them with a whiffle ball bat; shoot at the tires with
21 pellet guns; swerve towards the cycles to scare them and
22 force them off the road; or bump the back wheel with the
23 bumper of your car.

24 It's my understanding that the FCC will deny
25 applications for license renewal if the licensee exhibits

1 poor character. Since approximately 45,000 cyclists a year
2 are involved in accidents with motor vehicles, encouraging,
3 provoking and inciting motorists to attack cyclists shows
4 extremely poor character.

5 Clear Channel refuses to release tapes or
6 transcripts of the programs. Since they chose to pay
7 \$10,000 towards cycling advocacy in Cleveland, broadcast
8 apologies, and run hundreds of public service announcements,
9 a reasonable and prudent person would assume that they feel
10 they have some liability or license exposure.

11 We want Clear Channel to stop promoting violence
12 and we want Clear Channel to undo the damage they've done.
13 And I have part of some of the broadcast where they are
14 personally attacking me, and I was the person who asked that
15 question, and I just wanted to hear the response, and they
16 also ridicule the FCC, so you might want to listen to those
17 tapes.

18 CHAIRMAN POWELL: Let me make an announcement and
19 then make a proposal. I would like to extend the open mike
20 time a little longer. It was our plan to try to go to about
21 7:50 or 7:50, 7:55, take a very short five minute break,
22 start up again at 8, and we'll just shave a little bit off
23 on the card questions at the end of the second panel if
24 that's acceptable to everyone.

25 MR. WATERS: Good evening. My name is Steven

1 Waters and I've travelled several hours to be here to
2 represent the League of American Bicyclists and its 300,000
3 affiliated members across the country.

4 As you've heard, Clear Channel Communication's
5 radio stations in three cities recently broadcast some talk
6 shows with the hosts telling the listeners encouraging
7 violence against bicyclists. This also occurred on Clear
8 Channel's station in San Jose, California in 2001, on WDCG,
9 G-105, what DG -- what G-105 basically did was advocate what
10 amounts to assault with a deadly weapon or felony assault
11 against bicyclists.

12 This reckless promotion of violence against
13 bicyclists is reprehensible and shows that Clear Channel
14 stations are not operating in the public interest.

15 Indeed, when one of the DJs in Cleveland was asked
16 by The Cleveland Plain Dealer newspaper whether his show
17 helped the public, he said, quite frankly, I'm not here to
18 serve the interest of the community; I'm serving my interest
19 by being here. End quote.

20 The fact that Clear Channel has promoted violence
21 against bicyclists on four separate radio stations
22 demonstrates a pattern of behavior that clearly warrants FCC
23 scrutiny.

24 As the broadcast promoted criminal behavior and
25 the causing physical harm to bicyclists, this matter goes

1 beyond free speech issues to the heart of whether or not it
2 is in the public interest to allow stations owned by this
3 company to continue broadcasting.

4 The League of American Bicyclists urges the FCC to
5 heed its own mandate and follow the lead of Commissioner
6 Copps in ensuring that licenses are not renewed without
7 examining how stations are serving their local communities.
8 And thank you very much for this opportunity to speak for
9 input.

10 MR. HAND: Good evening. I'm David Hand, I live
11 in Raleigh, North Carolina. I'd like to speak to a couple
12 of points about the WDCG incident. The damage that's been
13 done in our community extends beyond cyclists.

14 What they've advocated that commuters do is a
15 felony; people acting on their advice are putting themselves
16 in jeopardy of being sent to prison. They know that road
17 rage is a problem in our area. They live in our area; they
18 know that that's a problem that local government's trying to
19 address.

20 Instead of doing their part to address this
21 problem, they're seeking to profit from it. It's really
22 disgusting abuse of the public trust and the right of the
23 privilege of broadcasting on the airwaves.

24 Station management contends that after several
25 days of reflection on this issue, after we had spoken with

1 their advertisers and had some of their advertisers pull the
2 ads, it suddenly occurred to them that inciting violence and
3 killing innocent Americans is not humorous nor entertaining.

4 That was their initial response throughout, that this was
5 humor and entertainment.

6 I would like to ask that the FCC let us know what
7 expectations they have in exchange for access to the public
8 airwaves beyond evaluating the license when it comes up for
9 renewal. These people use the public airwaves every day,
10 they need to be conscious of their commitment to the public
11 good every day and they need to be held accountable for
12 that. Thank you.

13 MR. HAYES: Mr. Chairman and members of the
14 Commission, my name is Wes Hayes. I serve with the South
15 Carolina Senate from York County and Rock Hill right across
16 the border. And seeing the challenges we face at the state
17 level, I'm kind of enjoying seeing the challenges you face
18 at the federal level.

19 I don't have a lot to add to your problems
20 tonight. I just wanted to first of all commend you for
21 being here. I think -- I can't think of anything better
22 that you can do than to go out throughout the country and
23 find out the opinions of people on various issues, and I
24 commend you for that.

25 I want to just say a word for two stations that

1 have already been mentioned many times, WRHI and WRHM down
2 in Rock Hill. They are truly the voice of our community,
3 and I don't say that lightly. I've never seen anything like
4 the coverage they give to the meetings and local events, to
5 emergency coverage and to the political campaigns, to local
6 sports. They really are the voice and certainly I think
7 it's something that should be applauded.

8 The only comment that I can say negative about the
9 station is when you get very far from Rock Hill you can't
10 pick them up, so they need a little bit more power, so if
11 you can see granting that to them. So I just wanted to
12 commend them and thank you for being here.

13 T.J.: My name is T.J. and I'm with the Ace and
14 T.J. show on WNKS here in Charlotte, part of the Infinity
15 Broadcasting Corporation of Charlotte. And you'll have to
16 forgive me if I sound a little bit exhausted; we just got
17 back from taking our fourth 727 load of children with
18 terminal illnesses to Disneyworld for an all expenses paid,
19 once in a lifetime trip.

20 Over the five and a half years that my partner and
21 I have been in Charlotte we've raised hundreds of thousands
22 of dollars for charities from -- everything from the Red
23 Cross to hurricane relief, to prom dresses for girls who
24 couldn't afford them locally, to the family of an officer
25 that was killed in the line of duty.

1 So you local artists will have to forgive me if we
2 haven't had the time to take on the responsibility of
3 launching your music career.

4 (Applause.)

5 Ms. Merritt, you seem to contradict yourself a
6 little bit when you say that you don't want the government
7 to be involved with radio, yet you're asking an ever-
8 growing, ever-expanding federal government to mandate the
9 play of your records on radio stations.

10 MS. MERRITT: I certainly am not indicating that.

11 T.J.: And you say that the radio stations
12 shouldn't be worried about their bottom line when you openly
13 admit that that's what you're trying to reach is your bottom
14 line.

15 MS. MERRITT: I'm not -- if you want music, you're
16 going to have to find a way, we're going to have to find a
17 way to cooperate because we both need to stay in business.
18 But, you know, I certainly don't live by a pool. I struggle
19 to make ends meet and I have a lot of respect for that. So
20 I'm not here to promote my career. I'm here to give North
21 Carolina musicians a voice so that they can keep
22 contributing just as you have.

23 (Applause.)

24 T.J.: Do her comments count in my two minutes?
25 Let me say this, I know this will be indecent language to a

1 lot of people in here, but ours is a society built on
2 capitalism. And in order to make a profit, you have to
3 abide by the rules of capitalism. And we can service the
4 community and still make a profit to keep these radio
5 stations and TV stations on the air. And tomorrow morning
6 your newspaper will show up with whatever the heck the
7 people want to put in it in there. Thank you very much.

8 MS. GARNER: Chairman Powell, distinguished
9 Commissioners, members of the panel, Ladies and Gentlemen,
10 my name is Elsie Garner. I'm the president and CEO of WTVI,
11 Charlotte's own public television station.

12 In the debate over localism and broadcasting, I
13 would request that the FCC give consideration to that last
14 bastion of locally controlled, free over-the-air, public
15 television and radio stations.

16 The FCC had the foresight to reserve channels for
17 nonprofit, educational use many years ago. I urge you today
18 to continue to reserve for the future a chair at the table
19 for public use, because without some care, this local
20 resource could disappear in digital transition.

21 I request you to establish rules to guarantee
22 cable and satellite carriage for the digital age.
23 Otherwise, public television will be faced with operating
24 costs for two stations at once with the exposure of only one
25 station. And in the digital world, satellite television

1 should not be exempt from the kinds of requirements that
2 apply to cable when it comes to digital signals for the
3 protection of local stations such as WTVI.

4 WTVI is owned and operated by a local broadcasting
5 authority. 83 percent of our budget comes directly from the
6 community we serve. That's local government and local
7 business, local foundations, and yes, local viewers like
8 these people behind me. This means we have to be responsive
9 to local issues and local preferences.

10 WTVI broadcasts approximately twice the PBS
11 national average of locally produced programs such as the
12 election debates for city council and the school board, and
13 our Ready to Learn Service as has been cited twice by the
14 Department of Education as one of the country's five best
15 outreach services.

16 Overwhelmingly I hear from our viewers that they
17 consider WTVI to be an essential community resource in the
18 heart of the Carolinas. Thank you for the opportunity to
19 come before you tonight and thank you for coming to
20 Charlotte.

21 AUDIENCE PARTICIPANT: Chairman Powell, welcome to
22 Charlotte; we really appreciate you being here.
23 Commissioner Copps and Adelstein and Mr. Goodman, I'm a
24 couch potato, and I've been forced to watch all this stuff
25 on television the last five years.

1 But I think you three gentlemen should be given
2 the Congressional Medal of Honor for patriotism for
3 defending our democracy, because I see democracy under
4 attack in many different forms. But basically there's a
5 confluence between capitalism and our society and capitalism
6 is winning.

7 There's a great book just coming out by William
8 Grieder called The Soul of Capitalism in which he states
9 clearly why there is no soul in capitalism, and what we need
10 to do to change things before we lose what we have in
11 America. But what you gentlemen have before you is the
12 chance to help really improve our country and our democracy,
13 things that have been stated by all these people. And I'm
14 so glad to be here in the start in Charlotte, and I feel
15 very honored you're here helping us.

16 I want to offer one example. We had a great
17 example by Ms. Merritt about what happens to people when
18 they let the different industries consolidate to such a
19 great degree that people are squeezed out and our values are
20 squeezed out with it.

21 My example, and it comes from my heart, is I have
22 a favorite candidate in the democratic election coming up,
23 and I've been watching C-Span for the last almost year, I
24 guess it is, and I've seen them perform in Iowa over and
25 over and over again, and I know these people are doing well.

1 My candidate came on CNN, the first chance they
2 had for mass media, communication to the world, and he got
3 of all the candidates -- everyone got at least 55 percent
4 more time than he got. One of them got 174 percent more
5 time than he got. His name is Senator Dennis --
6 Representative Dennis Kucinich from Ohio.

7 The polls that they tell us about are that he has
8 two percent of the population are for him. They don't poll
9 in Iowa and they don't tell you that.

10 MS. HARMAN: Thank you for allowing me to be here
11 tonight to share our story. My name is Rita Harman. I'm
12 with the American Cancer Society. The American Cancer
13 Society is a national nonprofit organization, and our goal
14 is to eliminate cancer. We also do research, education,
15 service and advocacy in the community.

16 We've had an opportunity to partner with several
17 radio stations and television stations locally. WSOC, WGIB,
18 WBAV, NPR, WFAE and several other stations we've had an
19 opportunity to partner with over the last few years.

20 They have given us an opportunity to share our
21 message, to create awareness about cancer and cancer
22 prevention in the community, and we certainly appreciate
23 that. We could not have done that without them.

24 The American Cancer Society does not have a media
25 budget, so we appreciate the opportunity to go on their

1 stations, to take survivors and talk about their issues and
2 what the American Cancer Society can do for them and for
3 those we hope will never be diagnosed with cancer.

4 We also appreciate the opportunity to partner with
5 stations like the Link, we partner with WBTB. They have
6 given us an opportunity to participate in -- let me back up
7 and say we have given them an opportunity to participate in
8 a program we call Relay for Life.

9 In partnering with them we've been able to raise
10 over \$500,000 for our cancer research. And our hope is that
11 in the future we will be able to continue to partner with
12 organizations like WBAV and like WBTB in order to create
13 additional awareness about cancer and cancer prevention. I
14 thank you all for this opportunity to speak tonight.

15 MR. DAY: Chairman Powell and Commissioners and
16 panelists, my name is Steve Day and I was one of the
17 announcers from Los Angeles who provided North Carolina
18 stations with music and announcers back in 1987 when the
19 Fairness Doctrine was eliminated and the veto could not be
20 overturned. That displaced some 1500 to 2500 local
21 announcers in small and medium markets, and that continues
22 today.

23 I have quit my LMA appointment job at a station in
24 California because the owners were telling me to take on the
25 responsibility to offer local programming to two other

1 cities outside my city. This happens every day in small and
2 medium markets. I have travelled 2500 miles from California
3 in my car to tell you today that this is happening in over
4 10,000 radio stations.

5 Does it concern the FCC at all that 75 to 80
6 percent of small and medium sized stations do not have an
7 individual or human being at that station from 8:00 P. M.
8 until 5 A. M. in the morning? Not all stations do this.

9 Would it concern the FCC at all to know that that
10 percentage of stations do not have an attendant from Friday
11 at 8 P.M. to Monday morning when at 5 A. M. when the local
12 crew comes in?

13 Ten billion dollars is invested in one diversified
14 company alone, and multi-millions are invested by those same
15 banks that invest in Arbitron, their rating service.

16 I'll be heading to D.C. tomorrow and I'll be
17 talking with representatives to change the legislation so
18 that you can articulate that said legislation of the
19 political party that is in control. In August I met with
20 Representative Robin Hayes, one of his assistants. I told
21 him about this and he seemed very, very concerned.

22 I'll be talking with someone, an advisor, not the
23 National Security Advisor herself, but an aid to her to
24 discuss would this be at all important to those involved in
25 terrorism -- counter-terrorism to know that this country is

1 left alone at night until 5 A.M. in the mornings and on the
2 weekends.

3 I'll be asking representatives in Congress to help
4 you find these people, imprison them if necessary, and get
5 to their pocketbooks.

6 MR. CUNNINGHAM: Hello. My name is Darrell
7 Cunningham and I represent Mothers of Murdered Offspring
8 MOMO is a Charlotte-based 501C3 organization dedicated to
9 the reduction of violence in our community. MOMO has a good
10 working relationship with our local radio and TV stations,
11 WSOC, WCNC, WCCB, WBTB, News 14 Carolina, WFAE, WBT radio,
12 WBAB, WPEG, WCHH, just to name a few.

13 We would like to thank the stations previously
14 mentioned for helping our organization throughout its
15 history. For example, the promotion of our nine annual
16 nonviolence weekends, coverage of our community candlelight
17 memorial services, coverage of our balloon release and
18 remembrance, the celebration of our over ten years of
19 service, and their continued dedication to keep unsolved
20 cases in the public eye and help seek justice.

21 I recognize that there's been a great deal of
22 attention paid to broadcast localism at the FCC over the
23 last several weeks. I'm here for two reasons.

24 First I would like to say thank you to the
25 previous stations mentioned, and I would like to say as a

1 North Carolinian I'm here to tell you from a local
2 perspective broadcast localism is alive and well in the
3 Carolinas. Thank you.

4 MR. FORCELO: Mr. Chairman, my name is Bob
5 Forcello (phonetic). I'm from the North Carolina Center for
6 Missing Persons; a letter will follow from the Secretary of
7 Crime Control and Public Safety. I'm the Amber Alert
8 project officer here in North Carolina. I'm here to support
9 local broadcasting.

10 If it were not for the local broadcasters in North
11 Carolina's Association of Broadcasters there would be no
12 Amber Alert. Since the bill was signed into law in North
13 Carolina on June 12th, we have had two Amber Alerts. It's
14 not business, I believe, that prompts the broadcasters to
15 get involved. I think it's community spirit.

16 The North Carolina Association of Broadcasters has
17 been instrumental in developing the Amber Alert program and
18 keeping it alive. Again, a letter will follow from the
19 Secretary of Crime Control and Public Safety.

20 MS. PEVIA: Mr. Chairman, my name is Wanda Pevia.
21 (phonetic). I'm here to tell you a little personal story.
22 My daughter was abducted in June of 1999. She was returned
23 home this past March 2003. If it hadn't been for the local
24 news media, the man who abducted my daughter, he would never
25 have been apprehended.

1 I want to thank the local news media and the local
2 radio stations for their help and support in apprehending
3 him. Thank you.

4 AUDIENCE PARTICIPANT: How's everybody doing?
5 Look, my problem's not as big as some of the problems
6 addressed here, but obviously local artists being played on
7 the radio is a big issue because we have a panelist that is
8 a representative of that.

9 So in turn I have a -- I'm part of a company. My
10 name is Gus. My professional pseudonym is G-U-\$. I'm from
11 Charlotte and basically I've been in music my whole life.
12 So I'm one of the best, but I haven't been respected as
13 that. I don't know why, but I know I'm part of this record
14 label named Policy Entertainment Group LLC, and we've made
15 many efforts, especially with stations like 92.7 about
16 getting play.

17 We have BDS encoding and MP-3 format and
18 everything technically that needed to be done. We're street
19 certified because that's all I know. And forgive my rugged
20 exterior, but that's where I'm coming from with this.

21 So basically I was just pulling off what people
22 have been talking about today, they've helped out local
23 artists as much as they can. I've only heard of one
24 referral to a local artist, which is, like, ridiculous
25 because we have, like, a million local artists that haven't

1 been heard on the radio and turning out, like I say, to the
2 community.

3 And to the panelists, I appreciate your support
4 and your inquiry about this topic right here because it is
5 important. I just want to stress that importance. I'm
6 going to keep it short. Thanks.

7 MR. BOW: Mr. Chairman, my name is Wally Bow and
8 I'm a journalist living in Asheville, North Carolina. I
9 moved to Asheville in 1983 to become the director of the
10 news bureau at the University of North Carolina there. I'd
11 like to describe the changes in local broadcast journalism
12 I've witnessed over the last twenty years.

13 Over the first two or three years we could call a
14 major press conference for our major news we had, such as
15 hiring a new chancellor or a million dollar grant, and we
16 would have three or four radio journalists show up as well
17 as three TV journalists, one from our local ABC affiliate
18 and one each from Spartenburg, the CBS affiliate, and
19 Greenville, the NBC affiliate, both of which had bureaus in
20 Asheville at that time, and of course we had local print
21 done on us as well.

22 However, by 1990 this picture had changed
23 radically as the locally owned radio stations were bought up
24 by bigger media companies and they began dismantling the
25 local news operations. By 1990 only one commercial radio

1 station in western North Carolina had a full-time field
2 reporter and studio news staff sufficient to produce a daily
3 local news program.

4 I should add that the 24 county region of western
5 North Carolina is roughly the size of the State of Vermont.

6 Today that radio station, after being purchased by Clear
7 Channel three years ago, no longer has a field reporter.
8 And instead of producing twenty minutes of local news with
9 hourly updates, the reduced news staff now only produces
10 nine minutes a day. None of that news reporting is done out
11 in the field or in the community and is regularly from the
12 Associated Press.

13 The Greenville-Spartenburg TV stations after
14 having been purchased by large broadcast chains have closed
15 their Asheville bureaus leaving us only with our local ABC
16 affiliate. Today a major news conference will probably get
17 zero broadcast journalists.

18 Clearly the growing concentration of media
19 ownership has greatly reduced the amount of local broadcast
20 news media in the mountain region.

21 To add insult to injury, several years ago our
22 local ABC affiliate was purchased by Sinclair Broadcasting
23 which soon began featuring editorials by a fellow named Mark
24 Himan from an undisclosed location identified only as news
25 central.

1 What was even more puzzling to viewers in the
2 mountains was that every four to fifth editorial blasted the
3 liberal legislature not in North Carolina, but in Maryland.

4 Why are viewers in western North Carolina hearing editorial
5 commentaries about the Maryland Legislature? It turns out
6 that Sinclair is based in Baltimore.

7 Clearly Sinclair is using its local affiliates not
8 to produce or comment on the local news, but to promote
9 their editorial viewpoints and issues of little interest to
10 the citizens of western North Carolina.

11 Please put the brakes on media ownership with
12 further consolidation. Please support issues like the Mayor
13 of Charlotte mentioned allowing local communities to enforce
14 their cable franchise agreements, to have more public access
15 TV.

16 I do want to thank you for the low power FM radio
17 initiative. Thanks.

18 MS. ELWELL: My name is Beverly Elwell and I am a
19 hard of hearing consumer. If localism means responsiveness
20 by a broadcaster, cable operator, satellite distributors,
21 and other multi-channel video programming distributors to
22 its community, then we need to understand that what's
23 already in place by the FCC through the Telecommunications
24 Act of 1996, and that is about closed captioning and using
25 closed captioning correctly for deaf and hard of hearing

1 consumers.

2 But I want to especially address why it's so
3 important during emergencies and disaster situations. As
4 you see on this television we have here, and you've got a
5 monitor over there, but this is realtime captioning.
6 Everything is being captioned, everything that's being said
7 is being captioned. And that's great when it's got a
8 certain line that is being scrolled and used for closed
9 captioning.

10 When local networks use scrolling or the scripting
11 process, then sometimes they're using the same line so it
12 covers up the closed captioning which is not supposed to
13 happen.

14 So what I would like to see as would other 600,000
15 deaf and hard of hearing individuals in the State of North
16 Carolina is that closed captioning be used appropriately,
17 and not have the local networks or any network say well, we
18 can't do that because of the bottom dollar that it requires.

19 It's already the law; rules were already provided
20 for it. We just need to learn and enforce the appropriate
21 use of closed captioning. Thank you.

22 MR. CASTRO: Good evening and welcome to
23 Charlotte. My name is Hermonie Castro (phonetic); I'm the
24 chair of the Hispanic Political Coalition of Mecklenburg
25 County. And as a concerned citizen of Charlotte and having

1 lived in this community for over thirty years, I would like
2 to bring some points to the attention of the Commission.

3 First of all, during the time I have lived in this
4 community, I have seen the disappearance of locally owned
5 media to the point that this community in the television
6 area has only one locally owned channel. With the ownership
7 of the media changing from local to a few national and
8 global companies, there has been a continuing separation of
9 local coverage and community involvement.

10 There are some exceptions as in WPEG, Power 98, a
11 radio station that has partnered with the Latino community
12 in a campaign to register voters on a daily basis. Over the
13 last five years we have registered around 25,000 voters,
14 and have through their community focus programs have been
15 able to educate the community of the civic duties of the
16 succession of the right to vote, as well as explaining how
17 the municipal county and state and government work and how
18 to contact their elected official. They have also sponsored
19 the Latin-American Festival.

20 Another bright spot for us has been the Hispanic
21 radio station, 1030 AM. This station has excelled in the
22 involvement and service to the Latino community in all the
23 areas that concern us.

24 To summarize, we would like to see more community
25 coverage and involvement of the local media and are opposed

1 to the consolidation of the ownership of the media as has
2 recently happened with the Spanish speaking TV and radio
3 network, and is being sponsored by the FCC.

4 This consolidation will only result in the
5 diminishing of balance and diverse opinions that the
6 American people deserve. Thank you.

7 MR. BRAWLEY: Mr. Chairman, thank you for
8 extending the time for public comment. My name is Bill
9 Brawley and I'm a former elected and appointed official here
10 locally, but I'm speaking as a private citizen.

11 Recently I've been aware of a commercial campaign
12 that's touted how good a major station owner is in the
13 Charlotte area. I haven't heard anything tonight to say the
14 local stations couldn't be just as user friendly.

15 I have 15 FM stations programmed with the buttons
16 on my car. I'm guilty of channel surfing. When commercials
17 come on, I look for music and a lot of them belong to that
18 major system operator. It is my perception that all of
19 their stations run commercials at the same time. My three
20 teenagers have made the same comment to me.

21 We expect corporations to use their financial
22 integration to affect their bottom line. It's the American
23 way; it's the way we do things in a competitive society.
24 But broadcasting is not as competitive because there's not
25 free entry. There is limited space on the dial and you have

1 to allocate it. Economists call this the commons problem.

2 It relates to the common grazing areas in the
3 English villages that were often over grazed and in poor
4 shape. The reason being it is in the individual self-
5 interest in maximizing its own benefit of the common
6 resource. We've seen it tonight. How many people ran past
7 the red light and burned up the time that others of us would
8 not have had had you not extended the time tonight. We
9 can't expect corporations to not act like the people that
10 are in them.

11 We must restrict the influence of any one group or
12 any individual. So I ask you to restrict the ownership
13 rules further. Thank you.

14 MR. HONEYCUTT: Hi, I'm Rick Honeycutt. I'm a
15 satellite retailer, and the reason why I'm here is the local
16 broadcasters have been slow in making high definition
17 television service available to the satellite TV retailer.

18 My customers tell me that the Charlotte broadcast
19 station HDTV is not currently available to everyone in the
20 Charlotte TV market. For instance, many rural households
21 located within Ashe, Watauga, Caudwell and Burke Counties
22 cannot receive the broadcast high definition setting.

23 I have a two-part question. As the expert agent
24 on the digital transition, would you support the creation of
25 a task force in determining whether rural households

1 currently receive the digital signal or their local networks
2 and independent stations?

3 And upon determination that some households are
4 not able to receive this signal, would you support allowing
5 cable and satellite operators to provide distant HDTV
6 signals in the same way as they provide distant analog
7 service? Thank you.

8 CHAIRMAN POWELL: We'll try to get someone to help
9 answer your question.

10 MS. FOX: Hi. I'm Susan Fox; I'm from Charlotte.
11 And as so many other people have said and Ms. Merritt too,
12 talking about the huge corporations that are eating up all
13 the media in local areas and how destructive this is because
14 all they care about is their bottom line. And that's fine,
15 but the public airwaves are a privilege and so therefore
16 it's a little bit different.

17 The FCC has a responsibility of making sure they
18 use that responsibly and not just take over the whole thing.
19 The deregulation, I know, started in the eighties, but it's
20 just gotten worse and worse and worse, and now it's coming
21 to the part that if it's allowed to continue, then we're all
22 going to lose, and please don't let that happen. Thank you.

23 MR. DELILY: Hello everyone. I am Jake DeLily
24 (phonetic), a COO of an independent music outlet for the
25 Charlotte, North Carolina area. I just want to start off by

1 saying my father used to have a little saying when he said a
2 lie will travel all around the world, while the truth sits
3 at home putting its boots on.

4 And what you're hearing right now is a lie and I'm
5 going to say it in front of these people and the
6 representatives from the radio stations because I've been
7 here my whole life. I'm from Charlotte, North Carolina.
8 We've been hearing from people who are not affiliated with
9 me who were involved in the same struggle for years before I
10 even got -- I'm a graduate of North Carolina Central
11 University and I was in school during this time when other
12 people were trying to do what I'm trying to do now, and the
13 result is always the same.

14 I can call examples like Sunshine Edison, Anthony
15 Hamilton, Jealousy, and Horace Brown who are from Charlotte,
16 North Carolina who had to leave Charlotte to go to
17 California or New York or New Jersey to get their records
18 played. And that's a fact.

19 I can also tell you that's a fact that if you are
20 in the club or somewhere on the radio station, your music is
21 not going to get played unless you're going to pay somebody,
22 and that's a fact. And people may dispute that, but I can
23 give you facts and examples and people who can testify and
24 witness to these truths.

25 So I'm not here to come and try to tell you about

1 my life because I don't want you to know where I'm from.
2 I'm here on the strength of the local artists. And I also
3 want to take a leadership step and say that along with
4 everybody else in here, that their fight is my fight because
5 we both want the goal of what's right.

6 So to Ms. Kwei and to Mrs. Avery, on behalf of the
7 urban artists, we just want what's right and that's it.

8 MR. QUINTEE: Thank you. My name is Anthony
9 Quintee (phonetic). I would like to thank everybody who put
10 this together. This is a beautiful opportunity for the
11 community to come out and vent, and that's a beautiful
12 gesture.

13 However, it's a tragedy that 100 percent of the
14 community is not being represented here tonight, and not
15 because of ignorance, not because of complacency, because of
16 lack of knowledge, lack of knowing about this.

17 I personally called three North Carolina radio
18 stations yesterday evening. Two of them told me they knew
19 nothing about this meeting; they knew nothing of the FCC
20 being in town this week. One of them informed me that, you
21 know what, they are in town, and they got a meeting at 7:15
22 at the Charlotte Convention Center. Not here.

23 So yeah, there are lies; there's lies all over the
24 place. I'm a starving artist; emphasis on starving. And
25 just like every other artist in here, I think I'm the

1 hottest thing that hit Charlotte since the Carolina
2 Panthers. But you know what? That's not for me to decide.
3 That's for the audience and the community to decide.

4 And they cannot decide if I do not have access of
5 a medium to go to somewhere where my music can be heard,
6 where I can be heard, you know. And for us being local
7 artists here in Charlotte, North Carolina, I mean, that's
8 the only avenue we have. Without radio, it's hard; it's
9 hard. You have to come out of the pocket a little bit.

10 And, you know, I'm sorry, you know, contrary to
11 popular belief, in 2003 in North Carolina, and I'm sorry to
12 burst your bubble, payola does exist. And it's very bad,
13 it's buried all over America, you know. That's really all I
14 have to say. Thank you for coming.

15 MS. BLAGEN: Mr. Chairman and Commissioners, my
16 name is Krista Blagen (phonetic); I'm with the Arts and
17 Science Council and thank you for this opportunity to speak.
18 Advancing arts and science and history is the driving force
19 of the Arts and Science Council, and the primary area of
20 implementing our work is through our annual fund drive, and
21 we are currently the number one united artist fund drive in
22 the country, raising over 10.1 million to support cultural
23 education, 28 cultural affiliates, creative individuals and
24 neighborhood local programming.

25 The Charlotte media have been very receptive to

1 the critical role that culture plays in the role of the
2 Charlotte-Mecklenburg community and enables the Arts and
3 Science Council to get the word out. We rely on those
4 relationships to help inform listeners and viewers about our
5 efforts to enhance the cultural community and the quality of
6 life.

7 Examples of support from TV and radio are covering
8 ASC events and projects on News 14, WSOC-TV, WBTB, WCCB,
9 WFAE, WPEG, WBAV and WDAV and a host of others.

10 We also receive in kind contributions and airtime
11 from various radio stations and TV stations for PSAs. And
12 also another critical thing is that media executives and
13 staff people, also may serve and understand the importance
14 of the cultural community by serving on the ASC board of
15 directors and also on our great panels.

16 We just want to thank the Charlotte media for
17 supporting the Arts and Science Council and understanding
18 the importance that art, science and history plays in the
19 role of enhancing our cultural community. Thank you.

20 CHAIRMAN POWELL: I just urge the speakers to be
21 very brief. We have a whole other panel waiting patiently
22 and I want to get these others done.

23 MS. ECHERVERRI: Good evening. Thank you for
24 giving me the opportunity. My name is Olma Echerverri and I
25 am co-chair of the Hispanic Board Coalition. And I can

1 assure you that the chair and I prepared our statements
2 separately, so if I am repetitive.

3 I'm here to commend the efforts of WPG, Power 98,
4 in regards to voter registration and civic involvement, as
5 well as in helping to bring together the African-American
6 and Latino communities.

7 But there is room for improvement; there always
8 is. When the station was asked to give a public service
9 announcement about the immigrant worker freedom right, a
10 nationally recognized event, this request was denied because
11 it was so-called too political. Well, in the world around
12 us and in this community that is precisely what we need to
13 report, political and controversial issues. Nevertheless,
14 we continue to look forward to building bridges with WPG for
15 many years to come.

16 I also want to commend the local Hispanic radio
17 station, WNOW-1030 AM. They provide a daily life line
18 between the limited English speaking population in the
19 community. We would like for them to remain independent
20 because we do not trust them any other way. Thank you.

21 MR. HUSS: Hi there. My name is Joe Huss, and I'm
22 just a concerned citizen. And I'm here to explain that TV,
23 what's going on with TV. I was never a big TV watcher and I
24 didn't own a TV for many, many years. But I decided I was
25 being left out of the political process, watching debates on

1 TV, and also I like to find out the news on TV locally.

2 So I have a very valid interest in local news and
3 local control. But also I've noticed the commercials. The
4 commercials seem to be getting more and more of the program.
5 Now, that's fine to a point you change channels, but
6 children watch this stuff.

7 And, you know, there are studies that have been
8 done and noticed that these children, their attention span
9 goes to only how long the program is. We're kind of pre-
10 programming our children to have short attention spans. And
11 you can think of the consequences that's going to be further
12 down the road.

13 Another point I want to bring is that my
14 girlfriend has two young children and she has to be
15 concerned and I have to be concerned on where they go to
16 people's houses, neighbor's houses, because of what's on TV.
17 The sexual content, the language, I wouldn't want an eight-
18 year-old using a lot of the language they use on TV today.
19 And yet, it's right there, so we can't keep them from going
20 into their houses unless we know, you know, what kind of TV
21 they're watching. And I think that's a very important
22 consideration because we're not protecting our children.
23 Thank you.

24 MR. CLEMENT: My name is Howard Clement. I'm
25 presently a member of the Durham City Council, having served

1 as mayor pro tem of the Durham, North Carolina City Council.

2 I'm in my 21st year as a member of the Durham City Council.

3 Since 1971 it's been my privilege to serve as a
4 member of the minority affairs advisory committee for WTVD,
5 the ABC affiliate in Durham, North Carolina. And since 1971
6 I want to commend WTVD for its efforts in bringing minority
7 interests to the forum using the television as a venue for
8 that possibility.

9 There's no doubt in my mind that television, and
10 especially WTVD, has had a great impact in our community
11 over the years because of its inclusion of minorities and
12 other interest groups into its television format.

13 During this period I also want to commend WTVD for
14 advocating the concerns and interest of the North Carolina
15 Food Bank. Over 400,000 people, and I used to serve on the
16 board of the Food Bank, of the North Carolina Food Bank,
17 over 400,000 people at risk for hunger and poverty are
18 served by the good work of WTVD and other media outlets.

19 Thank God for television; thank God for WTVD for
20 serving the public interest. As long as these mass media
21 outlets continue to serve the public interest and at the
22 local level, I think the interest of the free market and air
23 transmission of ideas will be served.

24 And I want to thank the FCC for coming to this
25 part of North Carolina. I wish it could come to the mecca

1 of North Carolina to have this hearing. But the fact
2 remains you're here and we are grateful for this
3 opportunity.

4 CHAIRMAN POWELL: Thank you very much and thank
5 you for the patience to get through everyone who wanted to
6 speak. We did chew heavily into the time. I would propose
7 that we take just a two minute break; some of us must take a
8 two minute break, and we'll start again sharp.

9 I propose that we start no later than 8:30 and
10 give the panelists who have waited patiently an opportunity
11 to finish, and hopefully we'll be done by 8:50, 8:55 and
12 that will give us plenty of time. Thank you very much and
13 we'll take a quick break.

14 (Short recess.)

15 CHAIRMAN POWELL: If we could get started, please.
16 We'd like to start our second panel, and because we did eat
17 through a lot of time, there are people who need to catch
18 flights this evening. So we want to get through it, and
19 just to announce to the audience, there will be some FCC
20 staff, and I think my colleague, Commissioner Copps, is
21 going to stay, will be staying the night and will answer
22 further questions, so you will have another opportunity to
23 speak.

24 So with that I have the pleasure of starting the
25 second panel with Ms. Terri Avery and I just ask you begin,